

Crass noted he would request a 15x15 cinder block structure which would contain everything in one building.

Discussed continued with the applicant noting they would have a annodized roof; and the fence would have barbed wire on top. Mr. Dwan asked about using slats on the fence or coating it with colored plastic. Mr. Crass noted he felt using slats would make the fence more noticeable. Mr. Dwan suggested new language requiring the fence to be plastic coated or with wooden slates. Commissioner Beisswinger noted he felt galvanized fencing in that location would not be objectionable to anyone. Commissioner Davidson noted that he felt the tower should be left galvanized but the building and fence should be painted.

Mr. George Edmondson, Manager of Truckee Tahoe Airport, testified that this project had been brought before their Board. The Board had no objections whatsoever and felt it would be positive addition as a navigational aid for pilots. He noted that it was 52' under the conical zone of the airport. He would recommend that the tower be left metallic color. He stated that planes should not be that low but it would be more visible to have it metallic in color. Chairman Dwan asked about its relationship to the flight pattern of the airport. Mr. Edmondson noted it was outside the conical zone of the airport and will provide a nice homing spot for the airport and they have no safety concerns whatsoever.

Public hearing was closed.

MOTION by Commissioner Davidson, seconded by Beisswinger, to recommend to the Board of Supervisors that the 140 acre parcel be rezoned from "RA-5" Residential Agricultural with a minimum parcel size of five acres to "FR" Forest and Recreation with the finding that the zone change is consistent with the Martis Valley General Plan.

MOTION carried by roll call vote (3-0-2), YES: Beisswinger, Davidson, Dwan, NOES: None, ABSENT: Johnson, Smith.

MOTION by Commissioner Davidson, second by Commissioner Beisswinger, to approve the use permit for the radio tower and transmitter building, subject to conditions outline in the staff report:

A - D as stated

E (changed): The use permit includes possible future addition of a generator to be used only during period of power outages in the area. The generator shall be housed within the cinder block building on the site.

F as stated.

G (changed) As a part of the project, the building and fence shall be an earth-tone color or colors approved by the Planning Department prior to installation. Roof will be annodized metal in earth tone color.

H (changed): Facility will be surrounded by fence which meets FCC requirements. Fence will comply with L-II 3.9 of the Land Use and Development Code and shall be plastic coated with earth-tone laminate.

In approving the use permit, the Commission made the following findings:

1. The 4.05 acre site is adequate to contain the tower, guy wires, security fence, proposed building and required landscaping.
2. The project will generate very minimal traffic limited to maintenance personnel, and the private road serving the facility from Prosser Dam Road is adequate to accommodate that traffic.
3. Conditions requiring landscaping and earth-tone colors on all structures except tower, are intended to enhance the compatibility of the project so that the use is conducted in such a manner that it will have no significant adverse aesthetic effect on nearby properties or the permitted uses thereof.
4. The use is not inconsistent with the Nevada County General Plan.
5. Public services needed to serve the project (i.e. power and roads) are existing within the area and adequate to serve the proposed use.
6. The project is not expected to generate any cumulative impacts which would necessitate the payment of development fees to the Nevada County Department of Public Works.
7. The conditions attached to the permit are necessary to promote, protect and secure the public health, safety and welfare.

In approve the use permit the Commission finds that although the use could have a significant effect on the environment, there will not be a significant effect in this case because of mitigation measures attached as conditions on the use permit, and the staff is directed to file a negative declaration on the project with the County Clerk.

Chairman Dwan asked about the possibility of storing fuel on-site. Mr. Krause noted they would probably use diesel fuel and it would be stored inside the building. He noted they feel that it is the duty of the radio station to provide this capability for the public and in the event of a extended power outage, they would haul additional fuel to the site.

MOTION passed on a roll call vote (3-0-2). YES: Belsswinger, Davidson, Dwan; NOES: None; ABSENT: Johnson, Smith.

10 day appeal period for the use permit was noted for the audience.

NEW BUSINESS Resolution of appreciate for Marshall Palley discussed. Mr. Dwan noted he would typeset the resolution and obtain the signatures at the next meeting.

Meeting adjourned at 2:35 p.m. Next regularly scheduled meeting will be held October 27, 1983 in Nevada City.

Approved by Motion this _____ day of _____, 1983.

Secretary

ENVIRONMENTAL IMPACT EVALUATION
INITIAL STUDY, AND PROJECT DESCRIPTION

PROPOSED AMENDMENT TO ZONING DISTRICT MAP NO. 138 TO REZONE APPROXIMATELY
140 ACRES OWNED BY THE STATE OF CALIFORNIA FROM "RA-5" RESIDENTIAL.

The attached map reflects the zoning for the property under consideration and the area. The County general plan recommends the property and the area to the south for Estate and the area to the north for Forest. The proposed "FR" Forest & Recreation Zoning District is consistent with the Estate designation since it provides less intense zoning. The general plan recognizes an area of mineral importance in the most northeasterly corner of the section, and the "FR" District provides for both natural resource harvesting and processing.

PROJECT DESCRIPTION

The County Board of Supervisors' was approached by the new owners of KTRT radio, serving Truckee, who indicated that they have selected a parcel of land owned by the State of California on which they wish to locate a new radio tower. County Counsel has determined that private use of land leased from the State of California would require compliance with local land use regulations. The property in which the radio station is interested is in the "RA-5" Residential Agricultural (five acre minimum parcel sizes) district. Radio towers are currently only allowed in the "CH" Highway Commercial, "R & D" Research and Development, "M1" Light Industrial, and "M2" Heavy Industrial Districts. Because properties in those districts in the Truckee area are not suitable for a tower, the station owners asked that the County consider amending a zoning district which could be applied to property in which they are interested.

The Board of Supervisors ultimately issued Minute Order 83-109 to the Planning Department directing that it initiate a zoning ordinance amendment to add radio towers to the list of uses allowed with a use permit in the "FR" Forest and Recreation District, and initiate a rezoning of the State of California property from the current "RA-5" Residential Agricultural (five acre minimum parcel size) District to establish an "FR" Forest and Recreation District. Coincidentally, the radio station can file a use permit application for its proposed radio towers. The rezoning of the State-owned property is the project now under consideration.

Attached is an excerpt from Zoning District Map No. 138 reflecting the approximately 140 acres proposed to be rezoned from "RA-5" to "FR" Forest & Recreation. Note that the remaining portion of the parcel, lying on the northwest side of Prosser Dam Road, is zoned "FR-640" Forest and Recreation with a minimum parcel size of 640 acres. Other adjoining properties are in the "RA" District. Prosser Creek Reservoir lies to the north and west, Pannonia Ranchos and other residential properties lie to the south. The area to the east is relatively undeveloped.

Amend ZDM 138 - 283-22
August, 1983
Page 3

IMPACT EVALUATION

The proposed rezoning is consistent with the general plan designation and consistent with the uses in the area. It should be recognized, however, that the "FR" Forest and Recreation District does provide for some uses which could be found to be incompatible with the residential uses to the south. Those uses would include campgrounds, development and processing of natural resources, etc., but each would require specific environmental review with use permit processing.

The staff believes that there are no significant adverse environmental impacts with the simple rezoning of the property and that the Advisory Review Committee, Planning Commission and Board of Supervisors can find for a negative declaration on the project.

#

#

#

Attachment

2-9 C/16-18

NOTICE OF DETERMINATION

TO: ☐ Secretary for Resources
1416 9th Street, Room 1311
Sacramento, California 95814

☒ County Clerk
County of Nevada

FROM: (Public Agency)
Nevada County Planning Department
10433 Willow Valley Road, ED
Nevada City, Ca. 95959

1983 OCT 27 AM 7:58

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or
21152 of the Public Resources Code.

BY ED
DEPUTY

Project Title

U83-35 City News Service of L.A., Inc. Use permit application

State Clearinghouse Number (If submitted to State Clearinghouse)

N/A

Contact Person

Sharon Boivin, Planner II

Telephone Number

(916) 265-1440

Project Location

South of Prosser Creek Reservoir on Prosser Dam Road, 1/2 mi. east of St. Hwy 89

Project Description

Application to construct a 198 foot high radio tower and transmitter house
on 4.05 acre parcel

This is to advise that the Nevada County Planning Commission
(Lead Agency or Responsible Agency)

has approved the above-described project and has made the following determinations
regarding the above-described project:

1. The project ☐ will, ☒ will not, have a significant effect on the
environment.

COUNTY CLERK OF THE COUNTY OF NEVADA
 Courthouse
 Nevada City, California 95959

NEGATIVE DECLARATION

Please file this Negative Declaration pursuant to the requirements of the California Environmental Quality Act of 1970, as amended.

FILED

OCT 27 AM 7:58

DECE C. BOLINGER, CLERK

Responsible Agency:	Contact Person:	Telephone
County of Nevada, California	Sharon Boivin, Planner II	(916) 265-1440
Address:	City:	County:
10433 Willow Valley Road	Nevada City	Nevada
Project Title:	Area in Acres:	Zip Code:
Use permit app. for City News Service U8-35 of L.A., Inc.	4.05	95959
Project Address:	Assessor's Parcel Number(s):	
1/2 east of St. Highway 89 on Prosser Dam Road south of Prosser Creek Reservoir	16-120-17	

Project Description or Nature, Purpose and Beneficiaries:

Use permit application to construct a 198 foot high radio tower and trans-

EXHIBIT D

1984 Records of Nevada County Planning Department

U-84-56

COUNTY OF NEVADA - STATE OF CALIFORNIA
PLANNING AGENCY/PLANNING DEPARTMENT

H.E.W. Building, 10433 Willow Valley Road
Nevada City, CA 95959

Phone: (916) 265-1440

LAND USE APPLICATION

Applicants should check () the appropriate application that is subject to the submittal.

General Plan Amendment: From _____ To _____

Zone Change: From _____ To _____

Tentative Map: PM _____ FM _____ TM ONLY _____

Site Plan _____ Ministerial Site Plan _____

Use Permit X _____ Area Variance _____

APPLICATION INFORMATION

✓ Full Name of Applicant City News Service Telephone (213)625-0405

Address of Applicant 304 South Broadway, Suite 520, Los Angeles, CA 90013

✓ Full Name of Property Owner(s) State of California

Telephone: (916)322-7821

Address of Property Owner(s) 1807 13th St., Sacramento, CA 95814

✓ Contact Person Ed Chatfield Telephone (916)322-7821 *916 576-5936*

Address of Contact Person 1807 13th St., Sacramento, CA 95814

Assessor's Parcel Number(s) 16-120-17 Acreage 4.05

Acreage covered by this application 4.05

Parcel Address or General Location 3.5 Miles NE of Truckee E of Processor Dam Road

✓ Describe the project proposed by this application

An addition of 200' to a proposed 198' tower whose project was already

approved under U83-35

I hereby acknowledge that I have read this application and state that the information given is correct. I agree to comply with all County ordinances and State laws regulating property development.

Signature of applicant: _____ Date _____

Signature of owner*: _____ Date _____

Signature of contact person: _____ Date _____

*May be waived if letter of authorization is filed.

XX

FOR OFFICE USE ONLY:

Application No. #1308 118456

Zoning District Map No. 138

Date Filed: 8-3-81

Receipt No. and Date 10554

Present Zoning: FR

GP Classification Estate

Received By: JW

Supervisory District: V

7/30



Reno/Lake Tahoe

P.O. Box 1365 • 24 Highway 28
Crystal Bay, NV 89402
702/831-5102 • 916/546-5936



Truckee/Lake Tahoe

August 3, 1984

Nevada County Planning Department
HEW Building
10433 Willow Valley Road
Nevada City, CA 95959

Dear Planning Commission Members:

KTRT has been granted permission to build a 200 ft. tower at its new site
located near Prosser Dam (see reference #182-25). At this time we request

PUBLIC NOTICE INFORMATION SHEET

Date 8/6/84

Applicant/Project Title Conditional Use Permit of City News Service

File Number U84-56

Assessor's Parcel No. 16-120-17 Tax Area Code

(1) Will the approval of this project, because of its size or location, have the

P.C. _____
 BZA _____
 BOARD _____
 ARC _____

ARCEL NO. OWNER'S NAME AND MAILING ADDRESS

16-120-17	State of Calif.
16-120-06	USA Unpatented, Tahoe N.F. ✓
16-120-07	USA Unpatented, Tahoe N.F.
16-120-14	" "
16-120-16	" "
16-120-25	Kalani Pesha, 2246 Kingston Ave, San Bruno ⁹⁴⁰⁶
16-602-01	George Gardai, P.O. Box 906, Lake CA 95234 ✓
16-602-02	- Same as above
16-602-03	- same as 16-602-02 ✓
16-602-04	Joe Stella, P.O. Box 397, Lake 95234 ✓
16-602-05	Thomas Hill, Box 4331 Incline Village ^{NV 89}
16-602-06	- Same as 16-602-01
16-602-07	- Same as 16-602-01
16-602-08	- Same as 16-602-01
16-602-09	- Same as 16-602-01
16-602-10	- " " "
16-602-11	- " " "
16-602-12	Erwin Olson, P.O. Box 189, Tahoe Vista ^{CA 9592}
48-080-22	USA Tahoe National Forest ✓
48-080-23	THE Jones Foundation, ✓ c/o Willis, Butler, Schiller, London.

OFFICIAL NOTICE

Nevada County Health Department
Division of Environmental Health
265-2461 Ext. 452

To: Karry Przepiorski, Planning Dept Date: 17 August 84

Address: 10433 Willow Valley Rd AP#/Permit #: U84-56

Please be advised that this Department
has no comments or conditions for
this project.

RECEIVED

AUG 22 1984

NEVADA COUNTY
PLANNING DEPARTMENT

Sanitarian: Norm Greenberg RS

COUNTY OF NEVADA
PLANNING DEPARTMENT

When responding refer to File No: U84-56 Date: 8/6/84

Project Name: Conditional Use Permit of City News Service

NEVADA COUNTY DEPARTMENTS

☒ Building Department
☐ Public Works
☒ c/o Wes Zachery
☐ c/o John Spencer
☐ c/o Wally Miller
☐ Sanitation District I
☐ c/o Mike Forga
☒ Environmental Health
☐ Ag. Commissioner, John Taylor
☐ County Counsel
☐ Superintendent of Schools
☐
☐
☐

OTHER CITIES & COUNTIES

☐ City of Grass Valley
☐ City of Nevada City
☐ Placer Co. Plan. Dept.
☐ Sierra Co. Plan. Dept.
☐

FEDERAL AGENCIES

☐ Corps of Engineers
☐ Bureau of Land Management
☐ Forest Service
☐ Coyote & Hwy. 49, N.C.
☐ 12012 Sutton Way, G.V.
☐ P.O. Box 399, Truckee
☒ Federal Aviation Administration

SPECIAL DISTRICTS

☒ Fire District () TRUCKEE)
☐ Nevada Union High School)
☐ Other School Dist. ()
☐ Tahoe-Truckee Sanitation Agency
☐ Truckee Sanitary Dist.
☐ Truckee-Donner Public Utility Dist.
☐ Nevada County Fair Dist.
☐ Resource Conservation Dist.
☐ Nevada Irrigation District
☐ Donner Summit Public Utility Dist.
☐ San Juan Ridge County Water Dist.
☐ Tahoe Forest Hospital District
☐ Tahoe-Donner Recreation & Park Dist.
☒ Truckee-Tahoe Airport Dist.
☐ Washington County Water Dist.

PRIVATE UTILITY COMPANIES

☐ Donner Lake Utility Co.
☐ Glenshire Mutual Water Co.
☒ Sierra Pacific Power Co.
☐ Pacific Gas & Electric
☐ Pacific Telephone
☒ Grass Valley Office
☒ Tahoe City Office

SPECIAL INTEREST ORGANIZATIONS

☐ San Juan Ridge Taxpayers Assoc.
☐ Tahoe-Donner Env. Control Committee
☐ Truckee Downtown Merchants Assoc.
☐ Truckee Historical Society
☐ Nev. Co. Historical Society
☐ Nev. Co. Env. Council
☐ Nev. Co. Board of Realtors
☐ Tahoe-Sierra Board of Realtors
☐ Nev. Co. Builders Exchange
☐ Nevada County BAR Assoc.
☐ Homeowners Assoc. ()
☐ Engineers/Surveyors List
☐ Grass Valley Chamber of Commerce
☐ Access Barrier Removal Sub-Committee

STATE AGENCIES *

☐ Caltrans
☐ Highways
☒ Division of Aeronautics
☐ California Division of Forestry
☐ Timber - Auburn, Dave Burns
☐ Fire Protection - Nevada City
☐ Regional Water Quality Control Board
☐ Central Valley Region
☐ Lahontan Region
☐ Fish & Game
☐ c/o Bob Mapes (Sacramento)
☐ Parks & Recreation
☐ Division of Mines & Geology
☒ State Lands Commission Ed Chatfield
☐ Solid Waste Management Board
☐ State Fire Marshall
☐ State Clearinghouse
☐ Air Resources Control Board
☐ Dept. of Water Resources

OTHER


☒ Sierra Sun
☒ Pat Sutton, Supervisor, 5th Dist.
☒ FCC
☐
☐
☐
☐

PROJECT DESCRIPTION Conditional Use Permit application of City News Service proposing to construct a 398' radio tower on Prosser Dam Road, one-half mile northeast of State Highway 89. Conditional Use Permit U83-35, approved in October of 1983 approved a 198' tower on this site. This application will add an additional 200' to that tower, not yet constructed. Zoning for the 4+ acre site is "FR" Forest & Recreation.

AP# 16-120-17

This project is scheduled to be heard before the Nevada County Zoning Administrator on September 6, 1984 in Truckee. Please submit any comments prior to August 24, 1984.

Very truly yours,


Karry Przepiorski, Planner I

* If your agency is a State Agency, please inform this department if you must issue a permit and require State Clearinghouse review.

NOTICE OF PUBLIC HEARING

USE PERMIT APPLICATION OF CITY NEWS SERVICE TO BE CONSIDERED BY THE NEVADA COUNTY ZONING ADMINISTRATOR ON SEPTEMBER 6, 1984. (U84-56) (DISTRICT V)

Notice is hereby given that on September 6, 1984 at 1:30 p.m., or as soon thereafter as the matter may be heard, in the Truckee-Tahoe School District Conference Room, Donner Pass Road, Truckee, California, the Nevada County Zoning Administrator will hold a public hearing to consider the use permit application of City News Service proposing to construct a 398' radio tower on Prosser Dam Road, one-half mile northeast of State Highway 89. This application will add an additional 200' to the 198' tower that has already been approved on this site. The property involved is within the "FR" Zoning District and is designated Forest and Recreation on the Nevada County General Plan. A legal description of the property involved is on file in the Planning Department, 10433 Willow Valley Road, Nevada City, California.

The Zoning Administrator will also consider the Advisory Review Committee's recommendation that a negative declaration be issued for the subject project. The proposed negative declaration is available in the Planning Department for public inspection.

A person wishing to offer testimony on any matter to come before the Zoning Administrator should appear at the public hearing.

NEVADA COUNTY ZONING ADMINISTRATOR

Donald R. Riolo

By Margie White
Margie White
Clerk to the Zoning Administrator

DATE OF MAILING TO PROPERTY OWNERS: August 24, 1984

11J-2

City News Service
U84-56
09-06-84

Division of Aeronautics
1120 N. Street
Sacramento, CA 95814

State of California
1807 13th Street
Sacramento, CA 95814

State Lands Commission
c/o Ed Chatfield
1807 - 13th St.
Sacramento, CA 95816

USA Unpatented
Tahoe National Forest

Federal Aviation Admin.
District Office
831 Mitten Rd.
Burlingame, CA 94010

Kalani Desha
224⁶ Kingston Ave.
Sailruno, CA 94066

Sierra Pacific Power
P.O. Box 107
Tahoe Vista, CA 95732

George Gardai
P.O. Box 906
Truckee, CA 95734

Pacific Telephone
P.O. Box ENG
Tahoe City, CA 95730

Jose Stella
P.O. Box 397
Truckee, CA 95734

The Sierra Sun
P.O. Box 2973
Truckee, CA 95734

Thomas Hill
Box 4331
Incline Village, NV 89450

Pat Sutton
P.O. Box 1123
Truckee, CA 95734

Ervin Olson
P.O. Box 189
Tahoe Vista, CA 95732

~~Federal Comm. Committee
Washington~~

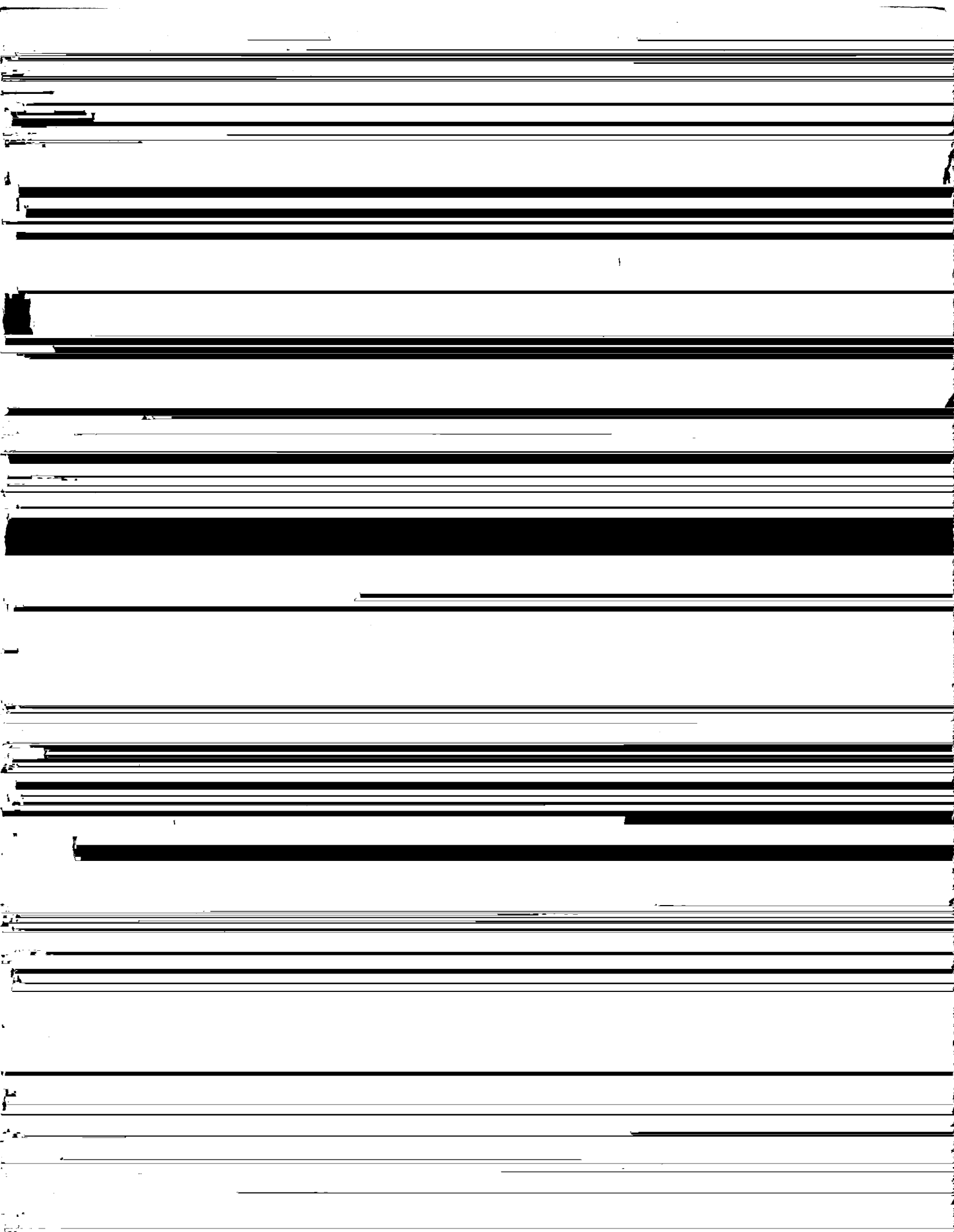
The Jones Foundation
c/o Willis Butler, Scheifly,
Leydord
524 So. Grand Ave., Ste. 1210
Los Angeles, CA 90017

Federal Communication Comm.
Washington, D.C. 20554

Truckee Fire Prot. Dist.
P.O. Box 686
Truckee, CA 95734

BLDG. - D.P.W. - E.H.

Truckee Tahoe Airport Dist.
P.O. Box 125
Truckee, CA 95734



Sept. 6, 1984
Nevada County zoning Administrator

September 6, 1984

NEVADA COUNTY ZONING ADMINISTRATION
Staff Report

SUBJECT: Conditional use permit application of City News Service of Los Angeles, Inc. to increase the height of a radio tower on property located on the easterly side of Prosser Dam Road, south of Prosser Creek Reservoir, northeast of Truckee, Fifth Supervisorial District. (File No. 1308, U84-56).

ASSESSOR'S PARCEL NO: 16-120-17

SITE (ACREAGE): 4.05 acres

GENERAL PLAN DESIGNATION: Estate Density

PRESENT ZONING: "FR" Forest and Recreation

PRESENT LAND USE: Unimproved

PROJECT DETAILS: On October 13, 1983 the Nevada County Planning Commission approved the use permit application (U83-35) of City News Service of Los Angeles, Inc. for the construction of a radio tower on property leased from the State of California south of Prosser Creek Reservoir. This application is a request to amend the previous use permit to increase the tower height from the approved 198 feet to 400 feet. Attached is a letter from the applicant dated August 3, 1984 outlining the reason why the height was not proposed initially. It should be noted that the tower has not been constructed.

STAFF COMMENT: The impacts of this tower and its increased height are essentially aesthetic. Public reaction to the tower will be unknown until the public hearing which will be held in Truckee. Absent the public hearing the staff would recommend that the Zoning Administrator grant the use permit by taking the following actions:

- I. Use Permit - Move to grant the use permit increasing the tower height from 198 feet to 400 feet and, subject to all conditions previously attached to use permit U83-35. (Attached)
- II. Use Permit Findings - Provide findings to support approval of the use permit pursuant to Section L-II 31.5 of the Land Use and Development Code.
- III. Environmental Review - Reaffirm the Planning Commission's determination for a Negative Declaration on the project.

15K

- application withdrawn
- Brend Collinson

DEPARTMENT OF TRANSPORTATION**DIVISION OF AERONAUTICS**

1120 "N" STREET
SACRAMENTO, CA 95814
(916) 322-3090



September 7, 1984

Mr. Donald R. Riolo
Nevada County Zoning
Administrator
Courthouse
Nevada City, CA 95959

Dear Mr. Riolo:

This is in response to the Notice of Public Hearing on the
Use Permit Application of City News Service (U84-56) (District V).

Based upon the information provided, it appears that this proposal warrants an obstruction evaluation study by the Federal Aviation Administration (FAA) pursuant to FAR Part 77. If the FAA determines that no such study is required or that the development presents no hazard to air navigation, then we would have no objection to the proposed tower provided it is lighted and marked in accordance with FAA standards.

Thank you for the notification.

Sincerely,

JACK D. KEMMERLY, Acting Chief
Division of Aeronautics

Fred Stewart, Chief
Northern Air Transportation Office

RECEIVED

SEP 11 1984

**NEVADA COUNTY
PLANNING DEPARTMENT**

COUNTY OF NEVADA

PLANNING DEPARTMENT

10433 Willow Valley Road
Nevada City, California 95959
(916) 265-1440

September 13, 1984

Mr. Karl Krass
General Manager, KTRT
P. O. Box 1365
Crystal Bay, Nevada 89402

SUBJECT: U84-56, City News Service

Dear Mr. Krass:

As requested in your letter of September 6, 1984, this letter will verify that we have closed the above captioned file showing that the application has been withdrawn.

Please do not hesitate to call us if we can assist you in any way in the future.

Very truly yours,

Donald R. Riolo, Planning Director

By: Kerry Przepiorski
Kerry Przepiorski, Planner I

DRR:KP:jm

cc: City News Service
State of California

COUNTY OF NEVADA

PLANNING DEPARTMENT

10433 Willow Valley Road
Nevada City, California 95959
(916) 265-1440

September 21, 1984

Brent P. Collinson
Schneider, Collinson & Lange
Attorneys at Law
P.O. Box 8550
Truckee, CA 95737

Subject: City News Service of Los Angeles, Inc.
Application for 200' Radio Tower

Dear Mr. Collinson,

In response to your recent letter regarding the alleged discrepancy in the noticing procedure for the subject application, I have investigated this matter and it is my opinion that adequate noticing for this hearing was provided to the neighboring property owners.

I have discussed this matter with Jim Curtis, County Counsel and his suggestion is that if you wish to pursue this further you should contact his office directly.

Very truly yours,



Donald R. Riolo
Planning Director

DRR/mw

cc: Pat Sutton, Supervisor, District V
Jim Curtis, County Counsel
Tom Quinn, KTRT

EXHIBIT E

KHIX

LAW OFFICES OF

FARRAND, MALTI, COOPER & METZLER

A PROFESSIONAL CORPORATION

STEPHEN R. FARRAND
WAYNE B. COOPER
ROGER J. METZLER, JR.
TERENCE L. BRUNIER

OF COUNSEL
NANCY A. JARVIS

701 BUTTER STREET
SAN FRANCISCO, CA 94109

P. O. BOX 7329
SAN FRANCISCO, CA 94120

TEL. (415) 775-0880
FAX NO. (415) 775-9781

December 5, 1986

William J. Tricarico, Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Americom, a California Limited Partnership, Truckee
California - File #: BMP860421AB

Dear Mr. Tricarico:

problems in Truckee. Inasmuch as there are substantial zoning problems with erecting a tower in or around Truckee, this will probably result, if at all, in the proposal of a tower/transmitter operation which operates at less than normal FCC efficiency. A second investigation going on at present, as a result of the Commission's suggestion, is looking to specification of an alternate community of license. The third possibility under investigation is the investigation of an alternate site in a "industrial" area near Truckee. Although the site is presently not zoned for radio towers, the licensee hopes that it might get a variance, because the nature of the surrounding area suggests that a tower would not be an objectionable "eyesore." Finally, the licensee will make one more attempt to determine the feasibility of using the site for which it has a construction permit but no permission to build. However, in all candor, KHTX has to advise the Commission that due to the extent and nature of local opposition to that site, it has now all but abandoned any hopes of getting that site.

KHTX will be submitting progress reports on a monthly basis outlining its progress in all four of these possibilities and anticipates filing at least one more request for an STA. It is obvious that even with the prompt selection of one these alternatives and expedited treatment by the FCC of the application filed to select one of these alternatives, the licensee will not be able to have completed construction and be ready to begin operation within 90 days.

If there are any questions, please contact the undersigned.

Very truly yours,

FARRAND, MALTI, COOPER & METZLER



Roger J. Metzler, Jr.

RJM:rfm

cc: KHTX public file
Hatfield & Dawson